

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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NIKEL GRADY-HAMPTON,

Plaintiff,

v.

Case No.: 2:17-cv-01141-LA

NANCY A. BERRYHILL,  
Deputy Commissioner for Operations,  
performing the duties and functions not reserved  
to the Commissioner of Social Security,

Defendant.

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ORDER ON THE PARTIES' JOINT STIPULATION TO AN  
AWARD OF ATTORNEY FEES UNDER EAJA

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Pursuant to the parties' joint stipulation, the Court awards Plaintiff attorney fees in the amount of \$1,950.00 and costs in the amount of \$0.00 in full satisfaction and settlement of any and all claims Plaintiff may have under the Equal Access to Justice Act (EAJA) in this case. The award of attorney fees will satisfy all of Plaintiff's claims for fees, costs, and expenses under 28 U.S.C. § 2412 in this case.

In *Astrue v. Ratliff*, 130 S. Ct. 2521 (2010), the Supreme Court held that an EAJA award is payable to the litigant. In light of this decision, the EAJA award belongs to Plaintiff. If counsel for the Defendant can verify that Plaintiff owes no pre-existing debt subject to offset, the Defendant will direct that the award be made payable to Plaintiff's attorney pursuant to the EAJA assignment duly signed by Plaintiff and counsel. If Plaintiff owes a pre-existing debt subject to offset in an amount less than the EAJA award, the Social Security Administration will instruct

the U.S. Department of Treasury that any check for the remainder after offset will be made payable to Plaintiff and mailed to the business address of Plaintiff's attorney.

SO ORDERED this 22<sup>nd</sup> day of March, 2018.

s/Lynn Adelman

United States District Judge Lynn Adelman

Proposed by:

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